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 Brendan O'Shea, and Danny O'Shea*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

HARPO, INC. and OW LICENSING  
 COMPANY, LLC,

Plaintiffs,

v.

NUU3 NUTRITION LLC, BRENDAN  
 O'SHEA, and DANNY O'SHEA,

Defendants.

**Case No. 2:23-cv-00899-JCM-VCF**

**STIPULATION AND ORDER FOR  
 EXTENSION OF TIME TO ANSWER OR  
 OTHERWISE RESPOND TO  
 COMPLAINT**

**(Fifth Request)**

Pursuant to Federal Rule of Civil Procedure 6(b)(1) and Local Rule IA 6-1, Plaintiffs Harpo, Inc. and OW Licensing Company, LLC ("Plaintiffs"), by and through their counsel of record, and Defendants NuU3 Nutrition LLC, Brendan O'Shea, and Danny O'Shea ("Defendants"), by and through their counsel of record, hereby agree and stipulate to an extension of time to January 15, 2024, for the Defendants to file and serve their answer or otherwise respond to the Complaint (ECF No. 1).

Defendant NuU3 Nutrition LLC was served on July 12, 2023. On August 1, 2023, the parties filed a stipulation to extend NuU3 Nutrition LLC's deadline to answer or otherwise respond to the Complaint to September 1, 2023 (ECF No. 20), which was granted by the Court on August 3, 2023 (ECF No. 21).

Defendant Brendan O'Shea was served on July 22, 2023. On August 14, 2023, the parties filed a stipulation to extend Brendan O'Shea's deadline to answer or otherwise respond to the Complaint to September 1, 2023 (ECF No. 23), which was granted by the Court on August 14, 2023 (ECF No. 24).

1 Defendant Danny O'Shea was served on August 9, 2023.

2 On August 24, 2023, the parties filed a stipulation to extend the deadline for all Defendants  
3 to answer or otherwise respond to the Complaint to October 2, 2023 (ECF No. 26), which was  
4 granted by the Court on September 5, 2023 (ECF No. 28).

5 On September 25, 2023, the parties filed a stipulation to extend the deadline for all  
6 Defendants to answer or otherwise respond to the Complaint to November 1, 2023 (ECF No. 29),  
7 which was granted by the Court on September 25, 2023 (ECF No. 30).

8 On October 23, 2023, the parties filed a stipulation to extend the deadline for all Defendants  
9 to answer or otherwise respond to the Complaint to December 1, 2023 (ECF No. 31), which was  
10 granted by the Court on October 25, 2023 (ECF No. 32). The parties now agree that the Defendants  
11 shall have up to and including January 15, 2024, to answer or otherwise respond to the Complaint  
12 (ECF No. 1). This is the fifth request by the Defendants Nu3 Nutrition LLC and Brendan O'Shea  
13 and the fourth request by Defendant Danny O'Shea.

14 Good cause for this request exists because counsel for Plaintiffs and Defendants remain  
15 actively engaged in good faith settlement discussions in order to try and resolve this matter.  
16 Plaintiffs presented a settlement proposal in the form of a draft written settlement agreement to  
17 Defendants on November 6, 2023. On Friday, November 8, 2023, counsel for the parties discussed  
18 the settlement proposal and discussed early production by both sides of backup information  
19 supporting each side's respective settlement positions. The parties remain hopeful that such early  
20 exchange of information along with further dialogue can lead to an amicable resolution of this  
21 case. As such, the parties require additional time to continue such settlement efforts and to work  
22 out the possible terms and conditions of a settlement.

23 Accordingly, this Stipulation is made for good cause and not for purposes of delay.

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For the foregoing reasons, the parties hereby stipulate and agree to extend the deadline for Defendants to answer or otherwise respond to the Complaint to January 15, 2024.

DATED: November 27, 2023

**IT IS SO AGREED AND STIPULATED:**

**LEWIS ROCA ROTHGERBER CHRISTIE LLP      GILE LAW GROUP LTD.**

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*Attorney for Defendants Nuui3  
Nutrition LLC, Brendan O'Shea, and  
Danny O'Shea*

**IT IS SO ORDERED:**

  
UNITED STATES MAGISTRATE JUDGE

November 28, 2023  
DATED: \_\_\_\_\_